

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

IN THE MATTER OF

THE APPLICATION OF)	
STERLING TELECOM, INC.)	
FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	Docket No. _____
PROVIDE LOCAL EXCHANGE AND)	
INTEREXCHANGE SERVICES IN)	
SOUTH CAROLINA AND FOR FLEXIBLE)	
AND ALTERNATIVE REGULATION)	

Sterling Telecom, Inc. ("Sterling" or "Applicant"), by its undersigned counsel respectfully requests that Public Service Commission of South Carolina ("Commission") grant Applicant authority pursuant to S.C. Code Annotated Section 58-9-280 and 26 S.C. Reg. 103-823 of the Commission's Regulations to provide resold local exchange services and interexchange services in South Carolina. In addition, Applicant requests that the Commission regulate its local telecommunication services in accordance with the principles and procedures established for flexible regulation in Order No. 98-165 in Docket No. 97-467-C and pursuant to S.C. Code Section 58-9-585, that its operator services be regulated in accordance with the principles and procedures established in Order Nos. 95-1734 and 96-55 as modified by Order No. 2001-997. Applicant, for purposes of verification, and in evidence of its fitness to operate and the public need for its services, offers the following information in support of this Application:

Identification of the Applicant

1. Applicant maintains its headquarters at 242 Beverly Road, Huntington Station, NY 11746. Applicant is organized under the laws of the State of New York. A copy of the Company's

This document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

Articles of Incorporation is attached hereto as **Exhibit A**. Applicant has the authority to transact business within the State of South Carolina as a foreign corporation. A copy of the qualifying document is set forth in **Exhibit B** attached hereto.

2. Correspondence regarding this Application should be directed to:

Bonnie Shealy, Esquire
Robinson, McFadden & Moore, P.C.
P.O. Box 944
Columbia, SC 29202
Telephone: (803) 779-8900
Facsimile: (803) 252-0724
bshealy@robinsonlaw.com

With copy to:

Patrick D. Crocker
Early, Lennon, Crocker & Bartosiewicz, P.L.C.
900 Comerica Building
Kalamazoo, Michigan 49007-4752
Telephone: (269) 381-8844
Facsimile: (269) 381-8822
pcrocker@earlylennon.com

Description of Applicant

3. Applicant seeks authority to provide resold local exchange services and interexchange services throughout South Carolina to the extent authorized by the Commission and under the Telecommunications Act of 1996. Service offerings may include basic as well as non-basic services. Service will be provided twenty-four hours a day, seven days a week. The Applicant's services will be offered to small to mid-size business and residential customers.

4. Applicant does not intend to provide 900 or 700 services.

5. Applicant owns no transmission facilities. Applicant will offer service to its subscribers using facilities of the communications networks of other facilities-based carriers and the local exchange telephone companies ("LECs").

6. Applicant has no plans at this time to construct any telecommunications transmission facilities of its own and seeks no construction authority by means of this Application. Applicant will operate as a reseller.

7. Applicant will abide by all rules governing telecommunications resellers which the Commission has promulgated or may promulgate in the future, unless application of such rules is specifically waived by the Commission.

Proposed Services

8. Applicant provides telecommunications services to primarily small and medium volume business and residential users. In addition to local exchange services, Applicant proposes to offer access services and operator services as more fully described in the proposed illustrative tariff attached as Exhibit E. Applicant combines high quality transmission services with very competitive rates, flexible end user billing, professional customer service and excellent reporting to create a unique blend which meets the individualized needs of such customers.

9. Applicant intends to engage in "switchless" resale. Applicant will arrange for the traffic of underlying subscribers to be routed directly over the networks of Applicant's network providers.

10. Applicant is committed to the use of ethical sales practices. All distributors of its products must commit in writing to market Applicant's services in a professional manner, and to fairly and accurately portray Applicant's services and the charges for them.

Description and Fitness of Applicant

11. Applicant's officers have extensive managerial, financial and technical experience with which to execute the business plan described herein. Applicant's management personnel represent a broad spectrum of business and technical disciplines, possessing many years of individual

and aggregate telecommunications experience. In support of Applicant's managerial and technical ability to provide the services for which authority is sought herein Applicant submits a description of the background and experience of its current management team as **Exhibit C**. Applicant has access to the capital and resources necessary to establish its capability to provide the services for which authority is requested herein. Applicant attaches recent financial statements as **Exhibit D**.

Public Interest Considerations

12. Applicant's entry into the South Carolina marketplace is in the public interest because Applicant intends to make a uniquely attractive blend of service quality, network management and reporting, and low rates available. Namely, Applicant's offering ultimately will enable small and medium businesses in South Carolina to obtain services at rates which previously were available only to larger businesses.

13. In addition to the direct benefits delivered to the public by its services, Applicant's entry into the South Carolina marketplace will benefit the public indirectly by increasing the competitive pressure felt by existing carriers and spurring them to lower costs and improve services in response.

14. A decision by the Commission granting the Applicant authority to provide local telecommunication services described herein is in the public interest. Permitting the Applicant to provide services described in this Application will expand service options and increase competition in South Carolina without any adverse impact on the Commission's goals of universal service and affordable local and long distance service for individual customers. Approval will promote consumer choice by expanding the availability of innovative, high quality, reliable and competitively-priced telecommunication services. Approval is also likely to cause other local and long distance telecommunications providers to improve their existing services, become more

efficient and introduce service innovations of their own.

Requested Regulatory Treatment

15. In Docket Number 97-467-C, Order No. 98-165, the Commission approved flexible regulation for NewSouth Communications, LLC. This form of regulation included a rate structure, which incorporated maximum rate levels with the flexibility for adjustment below the maximum rate levels. The Commission determined that local tariff filings would be presumed valid upon filing, subject to the Commission's right within thirty days to institute an investigation of a tariff filing and that any such tariff filings would be subject to the same monitoring process as similarly situated competitive local exchange carriers. Applicant submits that as a local exchange competitor it should be subject to regulatory constraints no greater than those imposed in the above-mentioned docket. Applicant requests that its local exchange and interexchange service tariff filings be regulated under this form of flexible regulation.

16. Sterling requests that its operator service offerings be regulated pursuant to the procedures described in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, as modified by Order No. 2001-997 in Docket No. 2000-407-C. Because of both the level of competition found by the Commission in Docket No. 95-661-C and the Commission's decision to permit AT&T greater rate flexibility, Applicant submits that it is critical to the continued development of a competitive market for telecommunications services that the Commission apply the alternative regulation described in Order Nos. 95-1734 and 96-55 to Applicant's service offerings. Further, Sterling requests that the Commission: a) remove the maximum rate tariff requirements for its operator service offerings; b) presume that Sterling's tariff filings for these services be valid upon filing unless an investigation of a particular filing is instituted within seven (7) days, in which case the tariff filing will be suspended until further order of the Commission; and c) grant Sterling the same

treatment as similarly situated carriers in connection with any future relaxation of the Commission's reporting requirements.

Illustrative Tariffs

17. Applicant intends to provide service in South Carolina pursuant to the terms and conditions outlined in the illustrative tariff, which is attached for information as **Exhibit E**. Pursuant to the requirements set forth in S.C. Code Ann. 58-9-280(B)(5), that tariff includes a price list in connection with the local exchange services to be provided by the Applicant. Upon execution of the necessary interconnection agreements, the Applicant will file an amended price list that includes specific rates for the services to be offered by the Applicant in South Carolina.

Waivers

18. Applicant requests that the Commission grant it the following waivers:
- A. Applicant requests waiver of 26 S.C. Reg. 103-610, Location of Records and Reports. Applicant does not anticipate maintaining offices or personnel in the State of South Carolina. In the absence of such a waiver, Applicant would be compelled to assume added expense to maintain records and reports in South Carolina. Applicant avers that records and reports will be maintained at its headquarters office and will be made available to the Commission and the Office of Regulatory Staff upon request, at no charge. The Commission and the Office of Regulatory Staff will not be inconvenienced, and the public will not be exposed to any risk through the grant of this waiver request. Applicant understands that similar requests for waiver of R.103-610 are routinely granted by the Commission.
 - B. Applicant requests a waiver of the Commission's requirement under 26 S.C.

Regs. 103-631 that it be required to publish a local exchange directory. Applicant will make arrangements with the incumbent local exchange carriers ("LECs") whereby the names of its customers will be included in the directories published by the incumbent LECs. LEC directories will also be modified to include Applicant's customer service number. These directories will be distributed to Applicant's customers. This approach is entirely reasonable and will have a direct benefit to the customers of both Applicant and the incumbent LECs, since there would be only one directory containing a universal listing of customer information. It would be an unnecessary burden on Applicant to require that it publish and distribute its own directory to all customers located within each exchange area. It is more efficient for Applicant to include its limited customer list in the existing directories of the incumbent LECs.

- C. Applicant also requests a waiver of any Commission policy that would require it to maintain its books under the Uniform System of Accounts ("USOA") method. The company currently uses Generally Accepted Accounting Principals ("GAAP") to maintain its books. Therefore, it would create a hardship to maintain a separate accounting system.

Conclusion

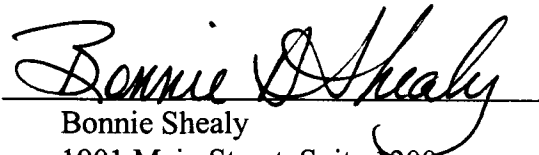
A decision by the Commission to grant the Applicant a Certificate of Public Convenience and Necessity is plainly in the public interest. Applicant will introduce new products and services at very competitive rates as well as enhance the competitiveness of the overall long distance market in South Carolina.

WHEREFORE, Sterling Telecom, Inc., respectfully requests that this Commission grant it authority to transact the business of a reseller of local exchange and interexchange services within the State of South Carolina and that its requests for flexible and alternative regulatory treatment be approved.

Dated this 13th day of November, 2007.

Robinson, McFadden & Moore, P.C.

By:

A handwritten signature in cursive script, appearing to read "Bonnie D. Shealy", written over a horizontal line.

Bonnie Shealy
1901 Main Street, Suite 1200
Post Office Box 944
Columbia, South Carolina 29202
Telephone: (803) 779-8900
Facsimile: (803) 252-0724
bshealy@robinsonlaw.com

Attorneys for Sterling Telecom, Inc.

EXHIBIT A

Articles of Incorporation

F010809000328

(This form must be printed or typed in black ink)
CERTIFICATE OF INCORPORATION
OF
STERLING TELECOM, INC.

(Insert corporate name)

Under Section 402 of the Business Corporation Law

FIRST: The name of the corporation is: STERLING TELECOM, INC.

SECOND: This corporation is formed to engage in any lawful act or activity for which a corporation may be organized under the Business Corporation Law, provided that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body.

THIRD: The county within this state, in which the office of the corporation is to be located is: NEW YORK

FOURTH: The total number of shares which the corporation shall have authority to issue and a statement of the par value of each share or a statement that the shares are without par value are: 200 No Par Value

FIFTH: The secretary of state is designated as agent of the corporation upon whom process against the corporation may be served. The post office address to which the Secretary of State shall mail a copy of any process accepted on behalf of the corporation is:

c/o National Registered Agents, Inc.
440 9th Avenue, 5th Floor
New York, NY 10001

SIXTH: ~~XXXXXX~~ The name and street address in this state of the registered agent upon whom process against the corporation may be served is:

National Registered Agents, Inc.
440 9th Avenue, 5th Floor
New York, NY 10001

003-12W D **DRAWDOWN**

/ **Intercounty - 18**

F010809000 328

SEVENTH: (optional if this provision is used, a specific date must be stated which is not before, nor more than 90 days after the date of filing) The date corporate existence shall begin other than the date of filing, is: _____

X PILOT
(Signature)
MR. PAUL CANTINO CANTINO
(Type or print name)
242 BEVERLY ROAD
(Address)
HUNTINGTON STATION, NY 11748
(City, State, Zip code)

This form may not contain any attachments or riders except an original receipt evidencing reservation of name.

1 C C
STATE OF NEW YORK
DEPARTMENT OF STATE
FILED AUG 8 2000
TAX \$ 10-

CERTIFICATE OF INCORPORATION
OF

STERLING TELECOM, INC.

Under Section 402 of the Business Corporation Law

Filed by: TELECOM CERTIFICATION & FILING,
(Name)
485 MADISON AVE., 15TH FLOOR
(Mailing address)
NEW YORK, NY 10022-6803
(City, State and Zip code)

Intercounty - 18

2

DRAWDOWN
010809000 347

State of New York / ss:
Department of State)

I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.

Witness my hand and seal of the Department of State on **AUG 13 2001**



A handwritten signature in dark ink, appearing to read "J. Blum", written over a horizontal line.

Special Deputy Secretary of State

EXHIBIT B

Certificate of Authority to Transact Business

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Authorization

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

STERLING TELECOM INC.,

a corporation duly organized under the laws of the state of NEW YORK and issued a certificate of authority to transact business in South Carolina on September 6th, 2007, has on the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that its authority to transact business in South Carolina is subject to being revoked pursuant to Section 33-15-310 of the 1976 South Carolina Code, and no application for surrender of authority to do business in South Carolina has been filed in this office as of the date hereof.

**Given under my Hand and the Great
Seal of the State of South Carolina this
10th day of September, 2007.**

Mark Hammond

Mark Hammond, Secretary of State

EXHIBIT C

Management Resumes

Veronica Honor

8 Highview Road
Stony Brook, NY 11790

(631) 751-1922
vhonor@yahoo.com

Objective

Continue to grow existing Competitive Local Exchange Carrier by expanding into other states

Employment History**Owner/Operator**

Summer 2001-present Sterling Telecom, Inc. Huntington Station, NY 11746

- Established and maintain telecommunications business offering business, residential and payphone low cost dial tone in NY area.
- Involved in day to day operations: customer service, order writing, repair, billing, accounts payable, accounts receivable

Business Administrator

Winter 2001-Summer 2001 American Network Services Bronx, NY 10550

- Formed Competitive Local Exchange Carrier (CLEC) for existing payphone business
- Acted as liaison with Verizon in establishing and maintaining wholesale account
- Handled payroll, accounts payable, accounts receivable

Staff Accountant

Spring 1999-Winter 2001 Cirrus Healthcare Products Locust Valley, NY

- Manager of accounts payable and accounts receivable
- Customer Service
- Monthly reconciliations and year end

Office Manager

Spring 1994-Spring 1999 Coin Power Inc. Huntington Station, NY

- Responsible for running and maintaining all aspects of pay telephone

Education

1993-1994 Long Island University - C.W. Post Campus, Brookville, NY

- B.A. Political Science
- Minor in Criminal Justice and History

1990-1993 State of New York University at Albany, Albany, NY

Honors & Activities

Golden Key National Honor Society

Scholarship recipient 1993

Member of Phi Sigma Sigma

References

References are available on request.

**Paul D. Contino
242 Beverly Rd.
Huntington Station, NY 11746
631 425 0790**

pcontino@yahoo.com

Education

**Hofstra University; Uniondale, New York 1982 – 1986
Finance degree**

Experience

**1987 – 1994 Crescent Communications; New Hyde Park, New York
Payphone service technician and installer**

**1994 – Present Labra Telecom, Inc.; Huntington Station, New York
Owner/Manager: Public Payphone Company**

**Aug. 2001 – Present Sterling Telecom, Inc.; Huntington Station, New York
Consultant: Competitive Local Exchange Carrier**

Computer Skills

**Languages and Software
Mist, PNM, Payphone software programs**

James Rapaccioli

Experience

1980 -1995 New York City Department of Finance New York, NY

Unit Supervisor

- Supervise audits of large corporations in the telecommunications industry

1995 – 2000 NYS Insurance Fund New York, NY

Internal Audit Director

- Supervise the audits and investigations of all internal departments within the agency.
- Co-ordinate all investigations between the outside agencies and internal investigators.

2000-2003 American Payphone Inc. Mt. Vernon, NY

Controller/Manager

- Maintained the books and records of the corporation.
- Insured compliance with all governmental agencies for taxes as well as telecommunication filings

2003 – 2006 Sterling Telecom Inc. Huntington St., NY

Treasurer/Controller

- Responsible for all aspects of the business not related to operations.(e.g. Tax filings, health insurance, license filing requirements

Education

1976 -1980 Manhattan College Bronx, NY

B.S. Accounting

References

References are available on request.

16 9th Street
Locust Valley, New York 11560
516-676-6085
631-425-7143
631-427-6116

Thea Esposito

Objective Customer Service Manager

Experience 2004–2007 Sterling Telecom Inc. Huntington Station, NY

Customer Service Manager

- Handles customer objectives
- Direct contact with Verizon for repair and installation of service
- Account Payables / Receivables

1997-2004 Cirrus Healthcare Prod. Cold Spring Harbor, NY

Order Entry / Customer Service Manager

- EDI Order Entry
- EDI Billing
- Customer Service

1989-1997 Coldwell Banker Real Estate Locust Valley, NY

Licensed Real Estate Agent

- Worked with buyers and sellers
- Commercial and residential real estate
- Developed sales training courses

Education

1972 Locust Valley High School

1985-1988 Empire State credits

Interests

American Red Cross Volunteer, CERT Volunteer, Tennis, Gardening

EXHIBIT D

Financial Statements

Balance Sheet

Sterling Telecom Inc.

As of August 31, 2007

ASSETS

Current Assets

Cash	\$20,762
Accounts receivable (less doubtful accounts)	
Inventory	
Other Assets	4,599
Prepaid expenses	
Total Current Assets	\$25,361

Fixed Assets

Long-term investments	
Intangible	1,989
Buildings (less accumulated depreciation)	
Plant and equipment (less accumulated depreciation)	
Furniture and fixtures (less accumulated depreciation)	2,243
Total Net Fixed Assets	\$4,232

TOTAL ASSETS	\$29,593
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LIABILITIES

Current Liabilities

Accounts payable	\$2,103
Short-term notes	
Current portion of long-term notes	
Interest payable	
Taxes payable	
Accrued payroll	
Total Current Liabilities	\$2,103

Long-term Liabilities

Mortgage	
Other long-term liabilities	
Total Long-Term Liabilities	

Shareholders' Equity

Capital stock	\$1,000
Retained earnings	26,490
Total Shareholders' Equity	\$27,490

TOTAL LIABILITIES & EQUITY	\$29,593
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Income Statement

Sterling Telecom Inc For the Period Ending August 31, 2007

Revenue

Gross Sales	860433	
Less: Sales Returns and Allowances		
Net Sales		860433

Cost of Goods Sold

Purchases	578600	
Cost of Goods Sold		578600
Gross Profit (Loss)		281833

Expenses

Advertising	3772	
Auto Expense	34684	
Bank Charges	10	
Commissions	13857	
Dues and Subscriptions	1039	
Insurance	23408	
Miscellaneous	486	
Office Expense	1109	
Payroll	22099	
Postage	36	
Printing	731	
Professional Fees	10926	
Taxes	63878	
Total Expenses		176035
Net Operating Income		105798

EXHIBIT E

Tariff No. 1- Local Exchange Tariff

REGULATIONS AND SCHEDULE OF INTRASTATE CHARGES
APPLYING TO END-USER
COMMUNICATION SERVICES WITHIN
THE STATE OF SOUTH CAROLINA

Issued:

Effective:

Issued By: Veronica Honor, President
Sterling Telecom, Inc.
242 Beverly Road
Huntington Station. NY 11746

TABLE OF CONTENTS

	<u>Section</u>	<u>Page</u>
TABLE OF CONTENTS	Preface	1
EXPLANATION OF SYMBOLS, REFERENCE MARKS, AND ABBREVIATIONS OF TECHNICAL TERMS USED IN THIS TARIFF	Preface	3
APPLICATION OF TARIFF	Preface	4
DEFINITIONS	1	
REGULATIONS	2	
2.1 Undertaking of the Company	2	1
2.2 Prohibited Uses	2	7
2.3 Obligations of the Customer	2	7
2.4 Customer Equipment and Channels	2	10
2.5 Payment Arrangements	2	12
2.6 Allowances for Interruptions in Service	2	16
2.7 Use of Customer's Service by Others	2	19
2.8 Cancellation of Service	2	19
2.9 Transfers and Assignments	2	20
2.10 Notices and Communications	2	20
2.11 Operator Services Rules	2	20
APPLICATION OF RATES	3	
3.1 Introduction	3	1
3.2 Charges Based on Duration of Use	3	1
3.3 Rates Based Upon Distance	3	1
SERVICE AREAS	4	
4.1 Exchange Access Service Areas (EASA)	4	1
4.2 Calling Areas	4	2
EXCHANGE ACCESS SERVICE	5	
5.1 General	5	1
5.2 Basic Line Service	5	2
5.3 Key Line Service	5	3
5.4 Basic Trunk Service	5	4

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Sterling Telecom, Inc.
242 Beverly Road
Huntington Station, NY 11746

TABLE OF CONTENTS

	<u>Section</u>	<u>Page</u>
5.5 DID Trunk Service	5	5
5.6 Digital Trunk Service	5	6
5.7 Centrex Service	5	7
EXCHANGE ACCESS OPTIONAL FEATURES	6	
6.1 Directory Listings	6	1
6.2 Direct Inward Dial (DID) Service	6	2
6.3 Main Number Retention	6	3
6.4 Accounting Codes	6	4
6.5 Authorization Codes	6	5
6.6 Vanity Number Service	6	5
RESOLD LOCAL EXCHANGE SERVICE	7	
7.1 Description	7	1
7.2 Rates	7	1
LOCAL CALLING SERVICE	8	
8.1 Description	8	1
8.2 Rates	8	2
INTRALATA CALLING SERVICE	9	
9.1 Description	9	1
9.2 Time Periods	9	1
9.3 Rates	9	2
MISCELLANEOUS SERVICES	10	
10.1 Operator Services	10	1
10.2 Busy Line Verify & Line Interrupt Service	10	3
10.3 Service Implementation	10	5
10.4 Restoration of Service	10	5
SPECIAL ARRANGEMENTS	11	
11.1 Special Construction	11	1
11.2 Individual Case Basis (ICB) Arrangements	11	2
11.3 Temporary Promotional Programs	11	2

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Effective:

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Sterling Telecom, Inc.
242 Beverly Road
Huntington Station. NY 11746

EXPLANATION OF SYMBOLS, REFERENCE
MARKS, AND ABBREVIATIONS OF TECHNICAL
TERMS USED IN THIS TARIFF

The following symbols shall be used in this tariff for the purpose indicated below:

- | | |
|---|--|
| C | To signify changed regulation. |
| D | To signify discontinued rate or regulation. |
| I | To signify increased rate. |
| M | To signify a move in the location of text. |
| N | To signify new rate or regulation. |
| R | To signify reduced rate. |
| S | To signify reissued matter. |
| T | To signify a change in text but no change in rate or regulation. |

Issued:

Effective:

Issued By: Veronica Honor, President
Sterling Telecom, Inc.
242 Beverly Road
Huntington Station. NY 11746

APPLICATION OF TARIFF

This tariff sets forth the service offerings, rates, terms and conditions applicable to the furnishing of intrastate end-user communications services by Sterling Telecom, Inc., hereinafter referred to as the Company, to customers within the State of South Carolina.

Issued:

Effective:

Issued By: Veronica Honor, President
Sterling Telecom, Inc.
242 Beverly Road
Huntington Station. NY 11746

DEFINITIONS

Certain terms used generally throughout this tariff are defined below.

Account Codes: Permits Centrex Stations and attendants to dial an account code number of up to eight digits. When placing calls over facilities arranged for Automatic Message Accounting (AMA) recording, the account or project number must be input prior to dialing the called number.

Advance Payment: Part or all of payment required before the start of service.

DID Trunk: A form of local switched access that provides the ability for an outside party to call an internal extension directly without the intervention of the company operator.

Automatic Number Identification (ANI): Allows the automatic transmission of a caller's billing account telephone number to a local exchange company, interexchange carrier or a third party subscriber. The primary purpose of ANI is to allow for billing of toll calls.

Bit: The smallest unit of information in the binary system of notation.

Call Back/Camp on: Permits a station line encountering an all-trunk-busy condition the option of being notified when a trunk becomes idle.

Call Forwarding:

Call Forwarding Station: Allows calls directed to a station line to be routed to a user defined line inside or outside the customer's telephone system.

Call Forwarding System: Permits calls attempting to terminate to a busy station line to be re-directed to a predetermined line inside or outside the customer's telephone system.

Call Forwarding Remote: This optional feature allows a user to activate/deactivate the Call Forwarding - All calls feature or change the forwarded to telephone number from a remote location.

Call Forwarding Busy: Allows incoming calls to a busy station to be routed to a preselected station line or attendant within the same system or outside the system. Intercom calls can be arranged to be forwarded to a number different from DID calls.

Call Forwarding Don't Answer: Allows incoming calls to be automatically routed to a preselected station line or attendant in the same system or outside the system, when the called station is not answered after a preset number of rings. Intercom calls can be arranged to be forwarded to a number different from DID calls.

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Sterling Telecom, Inc.
242 Beverly Road
Huntington Station, NY 11746

DEFINITIONS

Call Forwarding Variable Limited: When this feature is activated by a station line user or the attendant, incoming calls to the activated station line or attendant position will be automatically routed to any other selected station line, within the same Centrex system, or to the attendant position. The attendant may also activate this feature for a station line user.

Call Forwarding Variable Unlimited: The same as Call Forwarding Variable Limited except that incoming calls may be automatically routed to a telephone number outside the Centrex system or to station lines within the same Centrex system. The attendant may not activate this feature to a telephone number outside the Centrex system for a station line user. Calls forwarded outside the Centrex system are subject to the appropriate charges for local and toll messages.

Call Hold: Allows the user to hold one call for any length of time provided that neither party goes on-hook.

Call Park: Allows a station line to park a call against its own line number. The parked call can be retrieved from any station line by dialing a feature code and the line number against which the call is parked.

Call Pickup: Allows a station line to answer incoming calls to another station line within a defined call pickup group. Call pickup is provided on individual station lines within a customer group.

Call Transfer: Allows a station line user to transfer any established call to another station line inside or outside the customer group without the assistance of the attendant.

Call Waiting: Permits a line in the talking state to be alerted by a tone when another call is attempting to complete the line. Audible ringing is returned to the originating line. The Service also provides a hold feature that is activated by a switchhook flash.

Communication Services: The Company's intrastate toll and local exchange switched telephone services offered for both intraLATA and interLATA use.

Company: Sterling Telecom, Inc. , the issuer of this tariff.

Customer or Subscriber: The person, firm or corporation that orders service and is responsible for the payment of charges and compliance with the Company's regulations.

Dial Pulse (or "DP"): The pulse type employed by rotary dial station sets.

Direct Inward Dial (or "DID"): A service attribute that routes incoming calls directly to stations, bypassing a central answering point.

Issued:

Effective:

Issued By: Veronica Honor, President
Sterling Telecom, Inc.
242 Beverly Road
Huntington Station. NY 11746

DEFINITIONS

Direct Outward Dial(or "DOD"): A service attribute that allows individual station users to access and dial outside numbers directly.

Do Not Disturb: Permits the attendant to cut off a single station line and selected groups of station lines from receiving incoming and station-to-station calls.

DSX-1 Panel: Distribution equipment used to terminate and administer DSI (1.544 Mbps) circuits.

Dual Tone Multi-Frequency (or "DTMF"): The pulse type employed by tone dial station sets.

Duplex Service: Service that provides for simultaneous transmission in both directions.

Fiber Optic Cable: A thin filament of glass with a protective outer coating through which a light beam carrying communications signals may be transmitted by means of multiple internal reflections to a receiver, which translates the message.

Hunting: Routes a call to an idle station line in a prearranged group when the called station line is busy.

In-Only: A service attribute that restricts outward dial access and routes incoming calls to a designated answer point.

Joint User: A person, firm or corporation that is designated by the Customer as a user of services furnished to the Customer by the company and to whom a portion of the charges for the service will be billed under a joint user arrangement as specified herein.

Kbps: Kilobits per second, denotes thousands of bits per second.

Last Number Redial: Enables a station line user to redial the last called number by use of an access code rather than dialing the entire number.

LATA: A Local Access and Transport Area established pursuant to the Modification of Final Judgment entered by the United States District Court for the District of Columbia in Civil Action No. 82-0192; or any other geographic area designated as a LATA in the National Exchange Carrier Association, Inc. Tariff F.C.C. No. 4.

Local Exchange Carrier or ("LEC"): Denotes any individual, partnership, association, joint-stock company, trust or corporation engaged in providing switched communication within an exchange.

Mbps: Megabits, denotes millions of bits per second.

Multi-Frequency or ("MF"): An inter-machine pulse-type used for signaling between telephone switches, or between telephone switches and PBX/key systems.

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DEFINITIONS

Recurring Charges: The monthly charges to the Customer for services, facilities and equipment, that continue for the agreed upon duration of the service.

Service Commencement Date: The first day following the date on which the Company notifies the Customer that the requested service or facility is available for use, unless extended by the Customer's refusal to accept service that does not conform to standards set forth in the Service Order or this tariff, in which case the Service Commencement Date is the date of the Customer's acceptance. The Company and Customer may mutually agree on a substitute Service Commencement Date.

Service Order: The written request for Network Services executed by the Customer and the Company in the format devised by the Company. The signing of a Service Order by the Customer and acceptance by the Company initiates the respective obligations of the parties as set forth therein and pursuant to this tariff, but the duration of the service is calculated from the Service Commencement Date.

Shared: A facility or equipment system or subsystem that can be used simultaneously by several Customers.

Speed Calling: Permits a station line user to dial selected numbers by using fewer digits than normally required. This is accomplished through the assignment of abbreviated codes to frequently called numbers. The speed calling list is customer-changeable.

System: Allows shared use of speed calling list. A control station will add, change or delete telephone numbers from the list for the group.

Station: Allows a station line user to add, change or delete telephone numbers from a speed calling list. The list is dedicated to the individual station line user.

Three-Way Calling: Allows a station line user to add a third party to an existing conversation.

Two Way: A service attribute that includes outward dial capabilities for outbound calls and can also be used to carry inbound calls to a central point for further processing.

User or End User: A customer, Joint User, or any other person authorized by a Customer to use service provided under this tariff.

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REGULATIONS2.1 Undertaking of the Company2.1.1 Scope

The Company undertakes to furnish communications service pursuant to the terms of this tariff in connection with one-way and/or two-way information transmission between points within the State of South Carolina.

Customers and users may use services and facilities provided under this tariff to obtain access to services offered by other service providers. The Company is responsible under this tariff only for the services and facilities provided hereunder, and it assumes no responsibility for any service provided by any other entity that purchases access to the Company network in order to originate or terminate its own services, or to communicate with its own customers.

2.1.2 Shortage of Equipment or Facilities

- (A) The Company reserves the right to limit or allocate the use of existing facilities, or of additional facilities offered by the Company, when necessary because of lack of facilities, or due to some other cause beyond the Company's control.
- (B) The furnishing of service under this tariff is subject to the availability on a continuing basis of all the necessary facilities and is limited to the capacity of the Company's facilities as well as facilities the Company may obtain from other carriers to furnish service from time to time as required at the sole discretion of the Company.

2.1.3 Terms and Conditions

- (A) Service is provided on the basis of a minimum period of at least one month, 24-hours per day. For the purpose of computing charges in this tariff, a month is considered to have 30 days.
- (B) Customers may be required to enter into written service orders which shall contain or reference a specific description of the service ordered, the rates to be charged, the duration of the services, and the terms and conditions in this tariff. Customers will also be required to execute any other documents as may be reasonably requested by the Company.

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REGULATIONS2.1 Undertaking of the Company (Cont'd)

- (C) At the expiration of the initial term specified in each Service Order, or in any extension thereof, service shall continue on a month-to-month basis at the then current rates unless terminated by either party upon 30 days' written notice. Any termination shall not relieve the Customer of its obligation to pay any charges incurred under the service order and this tariff prior to termination. The rights and obligations which by their nature extend beyond the termination of the term of the service order shall survive such termination.
- (D) In any action between the parties to enforce any provision of this tariff, the prevailing party shall be entitled to recover its legal fees and court costs from the non-prevailing party in addition to other relief a court may award.
- (E) Service may be terminated upon written notice to the Customer if:
 - 1) the Customer is using the service in violation of this tariff; or
 - 2) the Customer is using the service in violation of the law.
- (F) This tariff shall be interpreted and governed by the laws of the State of South Carolina regardless of its choice of laws provision.
- (G) LECs must not interfere with the right of any person or entity to obtain service directly from the Company. No person or entity shall be required to make any payment, incur any penalty, monetary or otherwise, or purchase any services in order to have the right to obtain service directly from the Company.
- (H) To the extent that either the Company or any other telephone company exercises control over available cable pairs, conduit, duct space, raceways, or other facilities needed by the other to reach a person or entity, the party exercising such control shall make them available to the other on terms equivalent to those under which the Company makes similar facilities under its control available to its customers. At the reasonable request of either party, the Company and the other telephone company shall join the attempt to obtain from the owner of the property access for the other party to serve a person or entity.

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REGULATIONS2.1 Undertaking of the Company (Cont'd)2.1.4 Liability of the Company

- (A) The liability of the Company for damages arising out of the furnishing of its Services, including but not limited to mistakes, omissions, interruptions, delays, or errors, or other defects, representations, or use of these services or arising out of the failure to furnish the service, whether caused by acts or omission, shall be limited to the extension of such allowances for interruption as set forth in 2.6. The extension of such allowances for interruption shall be the sole remedy of the Customer and the sole liability of the Company. The Company will not be liable for any direct, indirect, incidental, special, consequential, exemplary or punitive damages to Customer as a result of any Company service, equipment or facilities, or the acts or omissions or negligence of the Company's employees or agents.
- (B) The Company shall not be liable for any delay or failure of performance or equipment due to causes beyond its control, including but not limited to: acts of God, fire, flood, explosion or other catastrophes; any law, order, regulation, direction, action, or request of the United States Government, or of any other government, including state and local governments having or claiming jurisdiction over the Company, or of any department, agency, commission, bureau, corporation, or other instrumentality of any one or more of these federal, state, or local governments, or of any civil or military authority; national emergencies; insurrections; riots; wars; unavailability of rights-of-way or materials; or strikes, lock-outs, work stoppages, or other labor difficulties.
- (C) The Company shall not be liable for any act or omission of any entity furnishing to the Company or to the Company's Customers facilities or equipment used for or with the services the Company offers.
- (D) The Company shall not be liable for any damages or losses due to the fault or negligence of the Customer or due to the failure or malfunction of Customer-provided equipment or facilities.

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REGULATIONS2.1 Undertaking of the Company (Cont'd)2.1.4 Liability of the Company (Cont'd)

- (E) The Company does not guarantee nor make any warranty with respect to installations it provides for use in an explosive atmosphere. The Customer indemnifies and holds the Company harmless from any and all loss, claims, demands, suits, or other action, or any liability whatsoever, whether suffered, made, instituted, or asserted by any other party or person(s), and for any loss, damage, or destruction of any property, whether owned by the Customer or others, caused or claimed to have been caused directly or indirectly by the installation, operation, failure to operate, maintenance, removal presence, condition, location, or use of any installation so provided. The Company reserves the right to require each Customer to sign an agreement acknowledging acceptance of the provisions of this section 2.1.4(E) as a condition precedent to such installations.
- (F) The Company is not liable for any defacement of or damage to Customer premises resulting from the furnishing of services or equipment on such premises or installation or removal thereof, unless such defacement or damage is caused by negligence or willful misconduct of the Company's agents or employees.
- (G) The Company shall be indemnified, defended and held harmless by the Customer against any claim, loss or damage arising from Customer's use of services, involving claims for libel, slander, invasion of privacy, or infringement of copyright arising from the Customer's own communications.
- (H) The entire liability for any claim, loss, damage or expense from any cause whatsoever shall in no event exceed sums actually paid the Company by the Customer for specific services giving rise to the claim. No action or proceeding against the Company shall be commenced more than one year after the service is rendered.
- (I) **THE COMPANY MAKES NO WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, EXCEPT THOSE EXPRESSLY SET FORTH HEREIN.**

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REGULATIONS2.1 Undertaking of the Company (Cont'd)2.1.5 Notification of Service-Affecting Activities

The Company will provide the Customer reasonable notification of service-affecting activities that may occur in normal operation of its business. Such activities may include, but are not limited to, equipment or facilities additions, removals or rearrangements and routine preventative maintenance. Generally, such activities are not specific to an individual Customer but affect many Customers' services. No specific advance notification period is applicable to all service activities. The Company will work cooperatively with the Customer to determine the reasonable notification requirements. With some emergency or unplanned service-affecting conditions, such as an outage resulting from cable damage, notification to the Customer may not be possible.

2.1.6 Provisions of Equipment and Facilities

- (A) The Company shall use reasonable efforts to make available services to a Customer on or before a particular date, subject to the provisions of and compliance by the Customer with, the regulations contained in this tariff. The Company does not guarantee availability by any such date and shall not be liable for any delays in commencing service to any Customer.
- (B) The Company shall use reasonable efforts to maintain only the facilities and equipment that it furnishes to the Customer. The Customer may not, nor may the Customer permit others to, rearrange, disconnect, remove, attempt to repair, or otherwise interfere with any of the facilities or equipment installed by the Company, except upon the written consent of the Company.
- (C) The Company may substitute, change or rearrange any equipment or facility at any time and from time to time, but shall not thereby alter the technical parameters of the service provided the Customer.
- (D) Equipment the Company provides or installs at the Customer Premises for use in connection with the services the Company offers shall not be used for any purpose other than for that which it was provided by the Company.
- (E) The Customer shall be responsible for the payment of service charges as set forth herein for visits by the Company's agents or employees to the Premises of the Customer when the service difficulty or trouble report results from the use of equipment or facilities provided by any other party than the Company, including but not limited to the Customer.

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REGULATIONS2.1 Undertaking of the Company (Cont'd)2.1.6 Provisions Of Equipment and Facilities (Cont'd)

- (F) The Company shall not be responsible for the installation, operation, or maintenance of any Customer-provided communications equipment. Where such equipment is connected to the facilities furnished pursuant to this tariff, the responsibility of the Company shall be limited to the furnishing of facilities offered under this tariff and to the maintenance and operation of such facilities. Subject to this responsibility, the Company shall not be responsible for:
- 1) the transmission of signals by Customer-provided equipment or for the quality of, or defects in, such transmission; or
 - 2) the reception of signals by Customer-provided equipment.

2.1.7 Non-routine Installation

At the Customer's request, installation and/or maintenance may be performed outside the Company's regular business hours or in hazardous locations. In such cases, charges based on cost of the actual labor, material, or other costs incurred by or charged to the Company will apply. If installation is started during regular business hours but, at the Customer's request, extends beyond regular business hours into time periods including, but not limited to, weekends, holidays, and/or night hours, additional charges may apply.

2.1.8 Special Construction

Subject to the agreement of the Company and to all of the regulations contained in this tariff, special construction of facilities may be undertaken on a reasonable efforts basis at the request of the Customer. Special construction is that construction undertaken:

- (A) where facilities are not presently available, and there is no other requirement for the facilities so constructed;
- (B) of a type other than that which the Company would normally utilize in the furnishing of its service;
- (C) over a route other than that which the Company would normally utilize in the furnishing of its services;
- (D) in a quantity greater than which the Company would normally construct;
- (E) on an expedited basis;

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REGULATIONS2.1 Undertaking of the Company (Cont'd)2.1.8 Special Construction (Cont'd)

- (F) on a temporary basis until permanent facilities are available;
- (G) in advance of its normal construction.

2.1.9 Ownership of Facilities

Title to all facilities provided in accordance with this tariff remains in the Company, its agents or contractors.

2.2 Prohibited Uses

- (A) The services the Company offers shall not be used for any unlawful purpose or for any use as to which the Customer has not obtained all required governmental approvals, authorizations, licenses, consents and permits.
- (B) The Company may require applicants for service who intend to use the Company's offerings for resale and/or for shared use to file a letter with the Company confirming that their use of the Company's offerings complies with relevant laws and South Carolina Public Service Commission regulations, policies, orders, and decisions.
- (C) The Company may require a Customer to immediately shut down transmission of signals if said transmission is causing interference to others.
- (D) A customer, joint user, or authorized user may not assign in any manner, the service or any rights associated with the service without the written consent of the Company. The Company will permit a Customer to transfer its existing service to another entity if the existing Customer has paid all charges owed to the Company for regulated communications services. Such a transfer will be treated as a disconnection of existing service and installation of new service, and non-recurring installation charges as stated in this will apply.

2.3 Obligations of the Customer2.3.1 General

The Customer shall be responsible for:

- (A) the payment of all applicable charges pursuant to this tariff;

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REGULATIONS2.3 Obligations of the Customer (Cont'd)2.3.1 General (Cont'd)

- (B) damage to or loss of the Company's facilities or equipment caused by the acts or omissions of the Customer; or the noncompliance by the Customer, with these regulations; or by fire or theft or other casualty on the Customer Premises, unless caused by the negligence or willful misconduct of the employees or agents of the Company;
- (C) providing at no charge, as specified from time to time by the Company, any needed personnel, equipment space and power to operate Company facilities and equipment installed on the premises of the Customer, and the level of heating and air conditioning necessary to maintain the proper operating environment on such premises;
- (D) obtaining, maintaining, and otherwise having full responsibility for all rights-of-way and conduits necessary for installation of fiber optic cable and associated equipment used to provide Communication Services to the Customer from the cable building entrance or property line to the location of the equipment space described in 2.3.1(C). Any and all costs associated with obtaining and maintaining the rights-of-way described herein, including the costs of altering the structure to permit installation of the Company-provided facilities, shall be born entirely by, or may be charged by the Company to, the Customer. The Company may require the Customer to demonstrate its compliance with this section prior to accepting an order for service;
- (E) providing a safe place to work and complying with all laws and regulations regarding the working conditions on the premises at which Company employees and agents shall be installing or maintaining the Company's facilities and equipment. The Customer may be required to install and maintain Company facilities and equipment within a hazardous area if, in the Company's opinion, injury or damage to the Company's employees or property might result from installation or maintenance by the Company. The Customer shall be responsible for identifying, monitoring, removing and disposing of any hazardous material (e.g. friable asbestos) prior to any construction or installation work;

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REGULATIONS2.3 Obligations of the Customer (Cont'd)2.3.1 General (Cont'd)

- (F) complying with all laws and regulations applicable to, and obtaining all consents, approvals, licenses and permits as may be required with respect to, the location of Company facilities and equipment in any Customer premises or rights-of-way for which Customer is responsible under Section 2.3.1 (D); and granting or obtaining permission for Company agents or employees to enter the premises of the Customer at any time for the purpose of installing, inspecting, maintaining, repairing, or upon termination of service as stated herein, removing the facilities or equipment of the Company;
- (G) not creating, or allowing to be placed, any liens or other encumbrances on the Company's equipment or facilities; and
- (H) making Company facilities and equipment available periodically for maintenance purposes at a time agreeable to both the Company and the Customer. No allowance will be made for the period in which service is interrupted for such purposes.

2.3.2 Claim

With respect to any service or facility provided by the Company, Customers shall indemnify, defend and hold harmless the Company from and against all claims, actions, damages, liabilities, costs and expenses, including reasonable attorneys' fees for:

- (A) Any loss, destruction or damage to the property of the Company or any third party, or death or injury to persons, including, but not limited to , employees invitees of either party, to the extent caused by or resulting from negligent or intentional act or omission of the Customer, its employees, agents, representatives or invitees; or
- (B) any claim, loss, damage, expense or liability for infringement of any copyright, patent, trade secret, or any proprietary or intellectual property right of any third party, arising from the act or omission by the Customer, including, without limitation, use of the Company's services and facilities in a manner not contemplated by the agreement between the Customer and the Company.

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REGULATIONS2.4 Customer Equipment and Channels2.4.1 General

A User may transmit or receive information or signals via the facilities of the Company. The Company's services are designed primarily for the transmission of voice-grade telephonic signals, except as otherwise stated in this tariff. A User may transmit any form of signal that is compatible with the Company's equipment, but the Company does not guarantee that its services will be suitable for purposes other than voice-grade telephonic communication except as specifically stated in this tariff.

2.4.2 Station Equipment

- (A) Terminal equipment on the User's premises and the electric power consumed by such equipment shall be provided by and maintained at the expense of the User. The User is responsible for the provision of wiring or cable to connect its terminal equipment to the Company Point of Connection.
- (B) The Customer is responsible for ensuring that Customer-provided equipment connected to Company equipment and facilities is compatible with such equipment and facilities. The magnitude and character of the voltages and currents impressed on Company-provided equipment and wiring by the connection, operation, or maintenance of such equipment and wiring shall be such as not to cause damage to the Company-provided equipment and wiring or injury to the Company's employees or other persons. Any additional protective equipment required to prevent such damage or injury shall be provided by the Company at the Customer's expense.

2.4.3 Interconnection of Facilities

- (A) Any special interface equipment necessary to achieve compatibility between the facilities and equipment of the Company used for furnishing Communication Services and the Channels, facilities, or equipment of others shall be provided at the Customer's expense.
- (B) Communication Services may be connected to the services or facilities of other communications carriers only when authorized by, and in accordance with, the terms and conditions of the tariffs of the other communications carriers that are applicable to such connections.

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REGULATIONS2.4 Customer Equipment and Channels (Cont'd)2.4.3 Interconnection of Facilities (Cont'd)

- (C) Facilities furnished under this tariff may be connected to Customer-provided terminal equipment in accordance with the provisions of this tariff. All such terminal equipment shall be registered by the Federal Communications Commission Pursuant to Part 68 of Title 47, Code of Federal Regulations; and all User-provided wiring shall be installed and maintained in compliance with those regulations.
- (D) Users may interconnect communications facilities that are used in whole or in part for interstate communication to services provided under this tariff only to the extent that the user is an "End User" as defined in Section 69.2(m), Title 47, Code of Federal Regulations (1992 edition).

2.4.4 Inspections

- (A) Upon suitable notification to the Customer, and at a reasonable time, the Company may make such tests and inspections as may be necessary to determine that the Customer is complying with requirements set forth in Section 2.4.2(B) for the installation, operation, maintenance of Customer-provided facilities, equipment, and wiring in the connection of Customer-provided facilities and equipment to Company-owned facilities and equipment.
- (B) If the protective requirements for Customer-provided equipment are not being complied with, the Company may take such action as it deems necessary to protect its facilities, equipment, and personnel. The Company will notify the Customer promptly if there is any need for further corrective action. Within ten days of receiving this notice, the Customer must take corrective action and notify the Company of the action taken. If the Customer fails to do this, the Company may take whatever additional action is deemed necessary, including the suspension of service, to protect its facilities, equipment and personnel from harm.

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REGULATIONS2.5 Payment Arrangements2.5.1 Payment for Service

The Customer is responsible for the payment of all charges for facilities and services furnished by the Company to the Customer and to all Users authorized by the Customer, regardless of whether those services are used by the Customer itself or are resold to or shared with other persons.

(A) Taxes

The Customer is responsible for payment of all sales, use, access or local, state and federal taxes, charges or surcharges (however designated) (excluding taxes on Company's net income) imposed on or based upon the provision, sale or use of Network Services.

2.5.2 Billing and Collection of Charges

- (A) Non-recurring charges are due and payable from the customer within 30 days after the invoice date, unless otherwise agreed to in advance.
- (B) The Company shall present invoices for Recurring Charges monthly to the Customer, in advance of the month in which service is provided, and Recurring Charges shall be due and payable within 30 days after the invoice date. When billing is based on customer usage, charges will be billed monthly for the preceding billing periods.
- (C) When service does not begin on the first day of the month, or end on the last day of the month, the charge for the fraction of the month in which service was furnished will be calculated on a pro rata basis. For this purpose, every month is considered to have 30 days.
- (D) Billing of the Customer by the Company will begin on the Service Commencement Date, which is the first day following the date on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.

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REGULATIONS2.5 Payment Arrangements (Cont'd)2.5.2 Billing and Collection of Charges (Cont'd)

- (E) If any portion of the payment is received by the Company after the due date, or if any portion of the payment is received by the Company in funds that are not immediately available, then a late payment penalty shall be due to the Company. The late payment penalty shall be the portion of the payment not received by the due date, multiplied by the lesser of the highest percentage allowable by the .South Carolina Public Service Commission or a late factor of 1.5% per month.
- (F) The Customer will be assessed a returned check charge that does not exceed that allowed under S.C. statutes.
- (G) Disputes concerning customer bills will be resolved in accordance with S.C. Regs. 103-623.
- (H) If service is disconnected by the Company in accordance with section 2.5.5 following and later restored, restoration of service will be subject to all applicable installation charges.

2.5.3 Advance Payment

To safeguard its interests, the Company may require a Customer to make an advance payment before services and facilities are furnished. The advance payment will not exceed an amount equal to the non-recurring charge(s) and one month's charges for the service or facility. In addition, where special construction is involved, the advance payment may also include an amount equal to the estimated non-recurring charges for the special construction and recurring charges (if any) for a period to be set between the Company and the Customer. The advance payment will be credited to the Customer's initial bill. An advance payment may be required in addition to a deposit.

2.5.4 Deposits

- (A) To safeguard its interests, the Company may require a Customer to make a deposit to be held as a guarantee for the payment of charges. A deposit does not relieve the Customer of the responsibility for the prompt payment of bills on presentation. The deposit will not exceed an amount equal to:
 - 1) two month's charges for a service or facility that has a minimum payment period of one month; or

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REGULATIONS2.5 Payment Arrangements (Cont'd)2.5.4 Deposits (Cont'd)

(A) (Cont'd)

- 2) the charges that would apply for the minimum payment period for a service or facility that has a minimum payment period of more than one month; except that the deposit may include an additional amount in the event that a termination charge is applicable.

(B) A deposit may be required in addition to an advance payment.

(C) When service or facility is discontinued, the amount of a deposit, if any, will be applied to the Customer's account and any credit balance remaining will be refunded. Before the service or facility is discontinued, the Company may, at its option, return the deposit or credit it to the Customer's account.

(D) Deposits held will accrue interest at a rate determined by the Company without deductions for any taxes on such deposits. Interest will not accrue on any deposit after the date on which reasonable effort has been made to return it to the Customer.

2.5.5 Discontinuance of Service

(A) Upon nonpayment of any amounts owing to the Company, the Company may, by giving 24 hours prior written notice to the Customer, discontinue or suspend service without liability.

(B) Upon violation of any of the other material terms or conditions for furnishing service, the Company may, by giving 30 days' prior notice in writing to the Customer, discontinue or suspend service without incurring liability if such violation continues during that period.

(C) Upon condemnation of any material portion of the facilities used by the Company to provide service to a Customer or if a casualty renders all or any material portion of such facilities inoperable beyond feasible repair, the Company, by notice to the Customer, may discontinue or suspend service without incurring any liability.

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REGULATIONS2.5 Payment Arrangements (Cont'd)2.5.5 Discontinuance of Service (Cont'd)

- (D) Upon the Customer's insolvency, assignment for the benefit of creditors, filing for bankruptcy or reorganization, or failing to discharge an involuntary petition within the time permitted by law, the Company may immediately discontinue or suspend service without incurring any liability.
- (E) Upon any governmental prohibition or required alteration of the services to be provided or any violation of an applicable law or regulation, the Company may immediately discontinue service without incurring any liability.
- (F) In the event of fraudulent use of the Company's network, the Company will discontinue service without notice and/or seek legal recourse to recover all costs involved in enforcement of this provision.
- (G) Upon the Company's discontinuance of service to the Customer under Section 2.5.5(A) or 2.5.5(B), the Company, in addition to all other remedies that may be available to the Company at law or in equity or under any other provision of this tariff, may declare all future monthly and other charges that would have been payable by the Customer during the remainder of the term for which such service would have otherwise been provided to the Customer to be immediately due and payable (discounted to present value at six percent).

2.5.6 Cancellation of Application for Service

- (A) Applications for service cannot be canceled without the Company's agreement. Where the Company permits a Customer to cancel an application for service prior to the start of service or prior to any special construction, no charges will be imposed except for those specified below.
- (B) Where, prior to cancellation by the Customer, the Company incurs any expenses in installing the service or in preparing to install the service that it otherwise would not have incurred, a charge equal to the costs incurred by the Company, less net salvage, shall apply, but in no case shall this charge exceed the sum of the charge for the minimum period of services ordered, including installation charges, and all charges others levy against the Company that would have been chargeable to the Customer had service commenced (all discounted to present value at six percent).

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REGULATIONS2.5 Payment Arrangements (Cont'd)

- (C) Where the Company incurs any expense in connection with special construction, or where special arrangements of facilities or equipment have begun, before the Company receives a cancellation notice, a charge equal to the costs incurred by the Company, less net salvage, applies. In such cases, the charge will be based on such elements as the cost of the equipment, facilities, and material, the cost of installation, engineering, labor, and supervision, general, and administrative expense, other disbursements, depreciation, maintenance, taxes, provision for return on investment, and any other costs associated with the special construction or arrangements.
- (D) The special charges described in 2.5.6(A) through 2.5.6(C) will be calculated and applied on a case-by-case basis.

2.5.7 Changes in Service Requested

If the Customer makes or requests material changes in circuit engineering, equipment specifications, service parameters, premises locations, or otherwise materially modifies any provision of the application for service, the Customer's installation fee shall be adjusted accordingly.

2.6 Allowance for Interruption in Service

Interruption in service that is not due to the negligence of, or noncompliance with the provisions of this tariff by, the Customer, will be credited to the Customer as set forth in 2.6.1 for the part of the service that the interruption affects.

2.6.1 Credit for Interruptions

- (A) A credit allowance will be made when an interruption occurs because of a failure of any component furnished by the Company under this tariff. An interruption period begins when the Customer reports a service, facility or circuit to be interrupted and releases it for testing and repair. An interruption period ends when the service, facility or circuit is operative. If the Customer reports a service, facility or circuit to be inoperative but declines to release it for testing and repair, it is considered to be impaired, but not interrupted.

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REGULATIONS2.6 Allowances for Interruption of Service (Cont'd)2.6.1 Credit for Interruptions (Cont'd)

- (B) For calculating credit allowances, every month is considered to have 30 days. A credit allowance for fixed recurring fees only is applied on a pro rata basis against the rates specified hereunder and is dependent upon the length of the interruption. Only those facilities on the interrupted portion of the circuit will receive credit.
- (C) A credit allowance will be given for interruption of 30 minutes or more. Credit allowances shall be calculated as follows:

Interruptions of 24 Hours or Less

<u>Length of Interruption</u>	<u>Interruption Period To Be Credited</u>
Less than 30 Minutes	None
30 minutes up to but not including 3 hours	1/10 Day
3 hours up to but not including 6 hours	1/5 Day
6 hours up to but not including 9 hours	2/5 Day
9 hours up to but not including 12 hours	3/5 Day
12 hours up to but not including 15 hours	4/5 Day
15 hours up to but not including 24 hours	One Day

Two or more interruptions of 15 minutes or more during any one 24-hour period shall be considered as one interruption.

Two or more interruptions of 15 minutes or more during any one 24-hour period shall be considered as one interruption.

Over 24 Hours Less Than 72 Hours. Interruptions over 24 hours and less than 72 hours will be credited 1/5 day for each 3-hour period or fraction thereof. No more than one full day's credit will be allowed for any period of 24 hours.

Interruptions Over 72 Hours. Interruptions over 72 hours will be credited 2 days for each full 24-hour period. No more than 30 days' credit will be allowed for any one month period.

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REGULATIONS2.6 Allowance for Interruption in Service (Cont'd)2.6.2 Limitation on Allowances

No credit will be made for:

- (A) interruption due to the negligence of, or noncompliance with the provisions of this tariff by, the Customer, authorized user, joint user, or other common carrier providing service connected to the service of the Company;
- (B) interruption due to the negligence of any person other than the Company, including but not limited to the Customer or other common carriers connected to the Company's facilities;
- (C) interruptions due to the failure or malfunction of non-Company equipment;
- (D) interruptions of service during any period in which the Company is not given full and free access to its facilities and equipment for the purpose of investigating and correcting interruptions;
- (E) interruptions of service during a period in which the Customer continues to use the service on an impaired basis;
- (F) interruptions of service during any period when the Customer has released service to the Company for maintenance purposes or for implementation of a Customer order for a change in service arrangements; and
- (G) interruption of service due to circumstances or causes beyond the control of the Company.

2.6.3 Cancellation For Service Interruption

Cancellation or termination for service interruption is permitted only if any circuit experiences a single continuous outage of 8 hours or more or cumulative service credits equaling 16 hours in a continuous 12-month period. The right to cancel service under this provision applies only to the single credit that has been subject to the outage or cumulative service credits.

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REGULATIONS2.7 Use of Customer's Service by Others2.7.1 Resale and Sharing

Any service provided under this tariff may be resold to or shared with other persons at the option of the Customer, subject to compliance with any applicable laws or South Carolina Public Service Commission regulations governing such resale or sharing. The Customer remains solely responsible for all use of service ordered by it or billed to its telephone number(s) pursuant to this tariff, for determining who is authorized to use its services, and for notifying the Company of any unauthorized use.

2.7.2 Joint Use Arrangements

Joint use arrangements will be permitted for all services provided under this tariff. From each joint use arrangement, one member will be designated as the Customer responsible for the manner in which the joint use of the service will be allocated. The Company will accept orders to start, rearrange, relocate, or discontinue service only from the designated Customer. Without affecting the Customer's ultimate responsibility for payment of all charges for the service, each joint user shall be responsible for the payment of the charges billed to it.

2.8 Cancellation of Service

If a Customer cancels a Service Order or terminates service before the completion of the term for any reason whatsoever other than a service interruption (as defined in Section 2.6.1 above), the Customer agrees to pay to the Company termination liability charges, as defined below. These charges shall become due and owing as of the effective date of the cancellation or termination and be payable within the period, set forth in Section 2.5.2.

The Customer's termination liability for cancellation of service shall be equal to:

- (A) all unpaid Non-recurring charges reasonably expended by the Company to establish service to the Customer; plus
- (B) any disconnection, early cancellation or termination charges reasonably incurred and paid to third parties by the Company on behalf of the Customer; plus
- (C) all Recurring Charges specified in the applicable Service Order Tariff for the balance of the then current term discounted at the prime rate announced in the Wall Street Journal on the third business day following the date of cancellations; minus
- (D) a reasonable allowance for costs avoided by the Company as a direct result of the Customer's cancellation.

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REGULATIONS2.9 Transfers and Assignments

Neither the Company nor the Customer may assign or transfer its rights or duties in connection with the services and facilities provided by the Company without the written consent of the other party, except that the Company may assign its rights and duties:

- (A) to any subsidiary, parent company or affiliate of the Company; or
- (B) pursuant to any sale or transfer of substantially all the assets of the Company; or
- (C) pursuant to any financing, merger or reorganization of the Company.

2.10 Notices and Communications

- (A) The Customer shall designate on the Service Order an address to which the Company shall mail or deliver all notices and other communications, except that the Customer may also designate a separate address to which the Company's bills for service shall be mailed.
- (B) The Company shall designate on the Service Order an address to which the Customer shall mail or deliver all notices and other communications, except that Company may designate a separate address on each bill for service to which the Customer shall mail payment on that bill.
- (C) All notices or other communications required to be given pursuant to this tariff will be in writing. Notices and other Communications of either party, and all bills mailed by the Company, shall be presumed to have been delivered to the other party on the third business day following placement of the notice, communication or bill with the U.S. Mail or a private delivery service, prepaid and properly addressed, or when actually received or refused by the addressee, whichever occurs first.
- (D) The Company or the Customer shall advise the other party of any changes to the addresses designated for notices, other communications or billing, by the following procedures for giving notice set forth herein.

2.11 Operator Services Rules

- (A) The Company will enforce the following operator service rules.

A provider of intrastate operator assisted communications services must:

- 1) identify itself at the time the end-user accesses its services;

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REGULATIONS2.11 Operator Services Rules (Cont'd)

(A) (Cont'd)

- 2) upon request, quote all rates and charges for its services to the end-user accessing its system;
- 3) arrange to have posted in plain view at each telephone location which automatically accesses the operator service provider's network and where its services are made available to the public or transient end-users:
 - (a) the operator service provider's name and address;
 - (b) bill and service dispute calling information including the operator service provider's dispute resolution phone number.
 - (c) clear and specific instructions informing the end-user how to access a local exchange telephone company operator as an alternative available to the end-user; and
 - (d) notice concerning any and all amounts to be billed by the operator services provider on behalf of any host location or third party that will appear on the operator service provider's bill for services rendered.
- 4) in instances when the provider is unable to complete the call and it requires transfer to another telephone corporation that may affect the rates and charges applicable to the telephone bill, inform the caller of the transfer and its possible effect on the applicable rates and charges, before any charges are incurred; and
- 5) in the case of such transfer, the telephone corporation or provider to which the call is transferred shall identify itself and inform the caller of the transfer's effect on the applicable rates and charges, before any charges are incurred.

(B) The Company will comply with the following provisions:

- 1) Providers of intrastate operator assisted communications services shall not take any, action or enter into any arrangement that restricts end-user selection among competing interexchange telephone corporations or end-users access to competing providers of intrastate operator assisted communications services, or pay any commissions or other compensation to any entity engaged in such action or arrangement.

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APPLICATION OF RATES3.1 Introduction

The regulations set forth in this section govern the application of rates for services contained in other sections of this tariff.

3.2 Charges Based on Duration of Use

Where charges for a service are specified based on the duration of use, such as the duration of a telephone call, the following rules apply:

- (A) Calls are measured in durational increments identified for each service. All calls that are fractions of a measurement increment are rounded-up next to the whole unit.
- (B) Timing on completed calls begins when the call is answered by the called party. Answering is determined by hardware answer supervision in all cases where this signaling is provided by the terminating local carrier and any intermediate carrier(s). Timing for operator service person-to-person calls start with completion of the connection to the person called or an acceptable substitute, or to the PBX station called.
- (C) Timing terminates on all calls when the calling party hangs up or the Company's network receives an off-hook signal from the terminating carrier.
- (D) Calls originating in one time period and terminating in another will be billed in proportion to the rates in effect during different segments of the call.
- (E) All times refer to local time.

3.3 Rates Based Upon Distance

Where charges for service are based upon distance, the following rules:

- (A) Distance between two points is measured as airline distance between the rate centers of the originating and terminating telephone lines. The rate center is a set of geographic coordinates, as referenced in the Local Exchange Routing Guide issued by Bellcore, associated with each NPA-NXX combination (where NPA is the area code and NXX is the first three digits of a seven-digit telephone number). Where there is no telephone number associated with an access line on the Company's network (such as a dedicated 800 or WATS access line), the Company will apply the rate center of the Customer's main billing telephone number.

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APPLICATION OF RATES3.3 Rates Based Upon Distance (Cont'd)

(B) The airline distance between any two rate centers is determined as follows:

- 1) Obtain the "V" (vertical) and "H" (horizontal) coordinates for each rate center from the Bellcore Local Exchange Routing guide referenced in Section 3.3(A).
- 2) Compute the difference between the "V" coordinates of the two rate centers; and the difference between the two "H" coordinates.
- 3) Square each difference obtained in step (2) above.
- 4) Add the square of the "V" difference and the square of the "H" difference obtained in the step (3) above.
- 5) Divide the sum of the squares by 10. Round to the next higher whole number if any fraction is obtained.
- 6) Obtain the square root of the whole number result obtained above. Round to the next higher whole number if any fraction is obtained. This is the airline mileage.

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SERVICE AREAS4.1 Exchange Access Service Areas

Exchange Access Service Areas (EASA) are provided (pursuant to Section 5.1) in limited geographic areas. Exchange Access Services bearing the following NPA-NXX designations are provided in the following areas:

NPA-NXXGeographic Areas In Which Full Service is Available

Exchange Access NPA-NXXs and Boundaries Are To Be Determined.

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SERVICE AREAS4.2 Calling Areas

Geographically-defined Local Calling Areas¹ are associated with each Exchange Access Service provided pursuant to Section 5.1 Exchange Access Services bearing the following NPA-NXX designations shall have the following Local and IntraLATA Calling Areas:

NPA-NXXLocal Calling Area Or IntraLATA Calling Area

Local Calling Areas and IntraLATA Calling Areas Are To Be Determined.

¹ Rates and rate plans for Local and IntraLATA Calling Area calls placed over Company-provided Exchange Access Services are set forth in Section 8.

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EXCHANGE ACCESS SERVICE5.1 General

Exchange Access Service provides a Customer with a telephonic connection to, and a unique telephone number address on the public switched telecommunications network. Each Exchange Access Service enables users to:

- (A) receive calls from other stations on the public switched telecommunications network;
- (B) access other services offered by the Company as set forth in this tariff;
- (C) access certain interstate and international calling services provided by the Company;
- (D) access (at no additional charge) the Company's operators and business office for service related assistance;
- (E) access (at no additional charge) emergency services by dialing 0- or 9-1-1; and
- (F) access services provided by other common carriers that purchase the Company's Switched Access services as provided under the Company's Federal and State tariffs, or that maintain other types of traffic exchange arrangements with the Company.

Each Exchange Access Service is available on a "full" service basis, whereby service is delivered to a demarcation/connection block at the customer's premises.

The following Exchange Access Services are offered:

Basic Line Service	Basic Trunk Service
Key Line Service	DID Trunk Service
Digital Trunk Service	Centrex Service

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EXCHANGE ACCESS SERVICE5.2 Basic Line Service

Basic Line Service provides a Customer with a single, voice-grade telephonic communications channel that can be used to place or receive one call at a time. Basic Lines are provided for connection of Customer-provided single station sets or facsimile machines to the public switched telecommunications network. Each Basic Line may be configured into a hunt group with other Company-provided Basic Lines. Each Basic Line is provided with the following standard features which can be deleted at the Customer's option:

Touch Tone	Call Waiting
Call Forwarding	Three-Way Conference Calling

Non-recurring and monthly recurring rates per Basic Line apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Basic Local Exchange Service -Each Line	\$xx.xx	\$xx.xx
Expanded Local Exchange Service -Each Line	\$xx.xx	\$xx.xx

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EXCHANGE ACCESS SERVICE5.3 Key Line Service

Key Line Service provides a Customer with a single, voice-grade telephonic communications channel that can be used to place one call at a time. Key Lines are provided for connection of the Customer-provided key systems to the public switched telecommunications network. Each Key Line is provided with the following features which can be deleted at the Customer's option:

Touch Tone	Call Waiting
Call Forwarding	Three-Way Conference Calling
Extension Dialing	Call Hunting

Non-recurring and monthly recurring rates per Key Line apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Basic Local Exchange Service -Each Line	\$xx.xx	\$xx.xx
Expanded Local Exchange Service -Each Line	\$xx.xx	\$xx.xx

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EXCHANGE ACCESS SERVICE5.4 Basic Trunk Service

Basic Trunk Service provides a Customer with a single, voice-grade telephonic communications channel that can be used to place or receive one call at a time. Basic Trunks are provided for the connection of Customer provided private branch exchanges (PBX) to the public switched telecommunications network. Each Basic Trunk is provided with touch tone signaling and may be configured into a hunt group with other Company-provided Basic Trunks.

Basic Trunks may be equipped with Analog Direct Dial (DID) capability and DID number blocks for additional charges, as set forth in Section 5.5 and 5.6.

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Basic Local Exchange Service -Per Trunk	\$xx.xx	\$xx.xx
Expanded Local Exchange Service -Per Trunk	\$xx.xx	\$xx.xx

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EXCHANGE ACCESS SERVICE5.5 DID Trunk Service

DID Trunk Service provides a Customer with a single, voice-grade telephonic communications channel that can be used to receive incoming calls one call at a time. DID Trunk Service transmits the dialed digits for all incoming calls allowing the Customer's PBX to route incoming calls directly to individual stations corresponding to each individual DID number. Charges for DID blocks apply in addition to the DID Trunk charges listed below.

Non-recurring and monthly recurring rates per DID Trunk, apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Basic Local Exchange Service -Each Line	\$xx.xx	\$xx.xx
Expanded Local Exchange Service -Each Line	\$xx.xx	\$xx.xx

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EXCHANGE ACCESS SERVICE5.6 Digital Trunk Service

Digital Trunk Service provides a Customer with a digital connection at 1.544 Mbps that is time division multiplexed into 24 individual voice-grade telephonic communications channels, each of which can be used to place or receive one call at a time. Digital Trunks are provided for connection of compatible Customer-provided private branch exchanges (PBX) to the public switched telecommunications network. Each Digital Trunk is provided with dual tone multi-frequency (DTMF) or multi-frequency (MF) signalling, as specified by the Customer. Digital Trunks may be configured into hunt groups with other Company-provided Digital Trunks. The terminal interface for each Digital Trunk Service is a DSX-1 panel.

Non-recurring and monthly recurring rates per Digital Trunk per point, apply as follows:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Per Trunk	\$xx.xx	\$xx.xx

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EXCHANGE ACCESS SERVICE5.7 Centrex Service

Centrex Service provides the Customer with multiple individual voice-grade telephone communications channels, each of which can be used to place or receive one call at a time. Centrex Station Lines are provided for connection of Centrex-compatible Customer-provided station sets to the public switched telecommunications network. Centrex Service standard and optional features are described in Section 1 of this tariff. Centrex Service is provided with a minimum of five Centrex Station Lines. Each Centrex Station Line is provided in combination with other Company-provided services. Centrex Services are offered as Centrex Basic and Centrex Select.

5.7.1 Centrex Basic

The standard features are as follows:

Touch Tone	Call Transfer
Call Hold	Three-Way Conference Calling

*Some features may not be available in all locations.

5.7.2 Centrex Select

The standard features are as follows

Touch Tone	Call Forward/Variable
Call Transfer	System Speed Dial
Call Hold	Call Pick-up
Three-Way Conferencing	Call Hunting
Call Forwarding/Busy	Call Waiting
Call Forward/Don't Answer	

*Some features may not be available in all locations.

Additional non-recurring and monthly recurring Centrex Service charges are listed in Section 5.7.5.

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EXCHANGE ACCESS SERVICE5.7 Centrex Service (Cont'd)5.7.3 Station Line Charges

The Centrex Station Lines are charged on a monthly recurring and non-recurring basis.

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Centrex Basic		
-Per Station Line	\$xx.xx	\$xx.xx
Centrex Select		
-Per Station Line	\$xx.xx	\$xx.xx

5.7.4 Usage Charges(A) Local Service Rates

Refer to the Rate Schedule located in Section 8.

(B) IntraLATA Rates

Refer to the Rate Schedule located in Section 9.3.

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EXCHANGE ACCESS SERVICE5.7 Centrex Service (Cont'd)5.7.5 Rate Elements

The following Rate Elements are in addition to the standard features located in Section 5.7.1 and 5.7.2. These rates are applied on a non-recurring and monthly recurring basis.

Rate

Number Retention

-Per Number

Recurring

\$xx.xx

Non-Recurring

\$xx.xx

Order Processing Charge

-Per Order

Non-Recurring

\$xx.xx

Additional Directory

-Per Listing

Recurring

\$x.xx

Remote Call Forwarding

-Per Path

Recurring

\$x.xx

Account Codes

-Per Line

Recurring

\$x.xx

Service Establishment Charge

-Per Order

Non-Recurring

\$xx.xx

Vanity Number

-Per Number

Recurring

\$xx.xx

Vanity Number Retention

-Per Number

Recurring

\$x.xx

Non-Recurring

\$xx.xx

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EXCHANGE ACCESS OPTIONAL FEATURES6.1 Directory Listings

For each Customer of Company-provided Exchange Access Service(s), the Company shall arrange for the listing of the Customer's main billing telephone number² in the directory(ies) published by the dominant Local Exchange Carrier in the area at no additional charge. At a Customer's option, the Company will arrange for additional listings at the following rates:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Each Additional Listing:	N/A	\$x.xx

² For Customers with multiple premises served by the Company, the Company will arrange for a listing of the main billing telephone number at each premise.

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EXCHANGE ACCESS OPTIONAL FEATURES6.2 Direct Inward Dial (DID) Service

DID service is an option feature which can be purchased in conjunction with Company-provided Basic Trunks or Digital Trunks. DID service transmits the dialed digits for all incoming calls allowing the Customer's PBX to route incoming calls directly to individual stations corresponding to each individual DID number. Charges for DID capability and DID number blocks apply in addition to charges specified for Basic Trunks or Digital Trunks in Sections 5.2, .5.4 and 5.6, respectively.

One DID Additive charge applies for each DID-equipped Basic Trunk or DID-equipped channel on a Digital Trunk. The Customer is required to purchase at least one DID number block for each DID-equipped trunk or trunk group, or DID-equipped channel or channel group.³

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
DID Additive	\$x.xx	\$x.xx
Block of 20 DID numbers	\$x.xx	\$x.xx

³ A "group" is a set of Basic Trunks or Digital Trunk channels which have been configured into a hunt group.

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EXCHANGE ACCESS OPTIONAL FEATURES6.3 Main Number Retention6.3.1 Description

Main Number Retention is an optional feature by which a new Customer, who was formally a customer of another certified local exchange carrier at the same premises location, may retain its main telephone numbers and main fax numbers for use with the Company-provided Exchange Access Services. Main Number Retention service is only available in areas where the Company maintains some form of number retention arrangement with the Customer's former local exchange carrier.

Monthly recurring and non-recurring charges apply per retained number. Rates for retained numbers may vary from area to area.

6.3.2 Rates

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Per retained number	\$x.xx	\$x.xx
Per retained vanity number	\$xx.xx	\$xx.xx

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EXCHANGE ACCESS OPTIONAL FEATURES6.4 Accounting Codes

Accounting Codes provide customers with a means of restricting calls or itemizing calls, according to specific digits that must be dialed at the end of a long distance telephone number. The length of Accounting Codes may vary from 2 to 6 digits, however, the length must be consistent for each customer location.

Offered are packages of codes that are verified against a specific list of valid numbers, for call restriction, or unverified packages of 2-6 digits in length for cataloging by code the calls made.

<u>Charge Per</u> <u>Customer Location</u>	<u>Monthly</u> <u>Recurring</u>	<u>Non-</u> <u>Recurring</u>
Verified Packages	\$x.xx	\$xx.xx
Unverified Packages	\$x.xx	\$xx.xx

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EXCHANGE ACCESS OPTIONAL FEATURES6.5 Authorization Codes

This option restricts calls from being made unless the correct accounting code is entered. Only customer specified codes will be accepted. The customer then may use these codes to track calling for cost analysis and bill-back purposes.

Non-Recurring
\$xx.xx

Monthly Recurring
\$x.xx

6.6 Vanity Number Service6.6.1 Description

Vanity Number Service is an optional feature by which a new Customer may request a specific or unique telephone and fax number for use with the Company provided Exchange Access Services. This service provides for the assignment of a customer requested telephone number other than the next available number from the assignment control list.

Vanity Number Service is furnished subject to the availability of facilities and the requirements of Exchange Access Service as defined by the Company. The Company reserves all rights to the Vanity Numbers assigned to the Customers and may, therefore, change them if required.

Monthly recurring charges apply per Vanity number.

6.6.2 Rates

Non-Recurring

Monthly Recurring

Per Vanity Number

\$xx.xx

\$xx.xx

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RESOLD LOCAL EXCHANGE SERVICE7.1 Description

Resold Local Exchange Service is composed of the resale of exchange access lines and local calling provided by other certified Local Exchange Carriers, in combination with Company-provided usage services, miscellaneous services or interstate/international services.

7.2 Rates

The following rates apply for Resold Local Exchange Services:

	<u>Non-Recurring</u>	<u>Monthly Recurring</u>
Resold Basic Lines	\$xx.xx	\$xx.xx
Resold Basic Trunks	\$xx.xx	\$xx.xx
Resold Local Usage first 3 minutes ea. add'l min.	Reserved for Future Use Reserved for Future Use	
Retained Numbers	Reserved for Future Use	

Resold features associated with resold local exchange service will be priced according to the rates established for such features in the underlying carrier's effective intrastate tariffs.

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LOCAL CALLING SERVICE8.1 Description

Local Calling Service provides a Customer with the ability to originate calls from a Company-provided access line to all other stations on the public switched telephone network⁴ bearing the designation of any central office exchanges, areas, and zones included in the Customer's local calling area.

8.1.1. Basic Local Exchange Service- This calling service allows the Customer unlimited access to all other stations on the public switched telephone network within the customer's Basic Local Calling Area but within the same state and LATA will be charged the IntraLATA rates as specified in Section 9.3 following.

8.1.2. Expanded Local Exchange Service- This calling service allows the Customer limited access to all other stations on the public switched telephone network within the Customer's Basic Local Calling Area. Additional calls to the Basic Local Calling Area will be charged as specified in Section 8.2.1(A) following. All calls to the Expanded Local Calling Area will be charged a per call setup and per minute access charge as specified in Section 8.2.1(B) following. All Calls to destinations outside the Expanded Local Calling Area but within the same state and LATA will be charged the IntraLATA rates as specified in Section 9.3 following.

⁴ Except calls to other telephone companies' caller paid information services (e.g. NPA 900, NXX 976, etc.). Calls to those numbers and other numbers used for caller-paid information services will be blocked by the Company's centralized switching facility.

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LOCAL CALLING SERVICE8.2 Rates

The rates set forth in this section apply to all direct dialed local calls. For operator-assisted local calls, the operator charges listed in Section 10.1.3 apply in addition to the charges listed below.

8.2.1. Usage Charges - Per minute charges apply for each call. Timing is in whole minute increments, with a minimum charge of one minute per call.

(A) Monthly Message Allowance

<u>Type of Service</u>	<u>Basic Calling Area</u>	<u>Extended Calling Area</u>
Basic Local Exchange Service		Reserved for Future Use ⁵
Expanded Local Exchange Service		Reserved for Future Use

*Additional message charge of \$x.xx for each message over monthly allowance.

(B) Expanded Calling Area - The following usage charges apply to points in the Customer's Expanded Calling Area.

<u>MILEAGE</u>	<u>SETUP PER CALL</u>	<u>PEAK</u>	<u>OFF-PEAK</u>
0 - 10	\$x.xx	\$x.xx	\$x.xx
11 - 22	\$x.xx	\$x.xx	\$x.xx
23 - 40	\$x.xx	\$x.xx	\$x.xx
41 +	\$x.xx	\$x.xx	\$x.xx

⁵ Customers of Basic Local Exchange Service are billed IntraLATA rates for calls to destinations within the state and LATA but outside the Basic Local Calling Area.

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INTRALATA CALLING SERVICE9.1 Description

IntraLATA calling service provides a Customer with the ability to originate calls from a Company-provided access line to all other stations on the public switched telephone network⁶ bearing the designation of any central office exchanges, areas, and zones outside of the Customer's Basic Calling Area but within the same state and LATA.

9.2 Time Periods

Day, Evening and Night/Weekend rate periods are shown below. On holidays, Evening rates will apply unless a lower rate will normally apply.

<u>Rates</u>	<u>From</u>	<u>To But Not Including</u>	<u>Days Applicable</u>	<u>Discount Applicable</u>
Day	8:00 A.M.	12:00 P.M.	Mon.-Fri.	0%
	1:00 P.M.	5:00 P.M.	Mon.-Fri.	0%
Evening	5:00 P.M.	11:00 P.M.	Mon.-Fri.	25%
Night/Weekend		All other times		50%

Holidays include New Year's Day (January 1), Memorial Day (fourth Monday in May), Independence Day (July 4), Labor Day (the first Monday in September), Thanksgiving Day (the fourth Thursday in November), and Christmas Day (December 25).

⁶ Except calls to other telephone companies' caller paid information services (e.g. NPA 900, NXX 976, etc.). Calls to those numbers and other numbers used for caller-paid information services will be blocked by the Company's centralized switching facility.

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INTRALATA CALLING SERVICE9.3 Rates

<u>MILEAGE</u>	<u>FIRST MINUTE</u>	<u>ADDITIONAL MINUTE</u>
0-10	\$x.xx	\$x.xx
11-16	\$x.xx	\$x.xx
17-22	\$x.xx	\$x.xx
23-30	\$x.xx	\$x.xx
31-40	\$x.xx	\$x.xx
41-55	\$x.xx	\$x.xx
56-70	\$x.xx	\$x.xx
71+	\$x.xx	\$x.xx

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MISCELLANEOUS SERVICES10.1 Operator Services10.1.1 Description

Operator Handled Calling Services are provided to Customers and Users of Company-provided Exchange Access Services, and to Customers and Users of exchange access lines.

10.1.2 Definitions

Person-to-Person: Calls completed with the assistance of a Company operator to a particular person, station, department, or PBX extension specified by the calling party. Charges may be billed to the Customer's commercial credit card/and or LEC calling card, calling station, called station, or a designated third-party station. Calls may be dialed with or without the assistance of a Company operator.

Station-to-Station: Refers to calls other than person-to-person calls billed to either the end user's commercial credit card and/or nonproprietary calling card. Calls may be dialed with or without the assistance of a Company operator. Collect calls to coin telephones and transfers of charges to third telephones which are coin telephones will not be accepted.

Operator Dialed Charge: The end user places the call without dialing the destination number, although the capability to do it himself exists. The end user will dial "0" for local calls and "00" for long distance calls and then request the operator to dial the called station.

Billed to Non-proprietary Calling Card: Refers to calls that are dialed by the customer in accordance with standard dialing instructions and billed to a non-proprietary calling card issued by another carrier.

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MISCELLANEOUS SERVICES10.1 Operator Services (Cont'd)10.1.3 Rates

Local exchange and IntraLATA calls may be placed on an Operator Assisted basis. Usage charges for Operator Assisted Calls are the same as those set forth in Section 8 and 9, preceding. For Operator Assisted calls to Busy Line Verification and Interrupt, the surcharges specified in Section 10.2.3 will apply in addition to any applicable Operator charges.

In addition to the usage charges identified above, the following operator-assisted charges will apply:

<u>Per Call Charges</u>	<u>IntraLATA</u>	<u>InterLATA</u>
Person-to-Person (Customer Dialed)	\$x.xx	\$x.xx
Station-to-Station (Customer Dialed)	\$x.xx	\$x.xx
Operator Dialed Charge (applies in addition to other operator charges)	\$x.xx	\$x.xx
Billed to Non-Proprietary Calling Card (additional surcharge)	\$x.xx	\$x.xx

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MISCELLANEOUS SERVICES10.2 Busy Line Verify and Line Interrupt Service10.2.1 Description

Upon request of a calling party the Company will verify a busy condition on a called line.

- (A) The operator will determine if the line is clear or in use and report to the calling party.
- (B) The operator will interrupt the call on the called line only if the calling party indicates an emergency and requests interruption.

10.2.2 Regulations

- (A) A charge will apply when:
 - 1) The operator verifies that the line is busy with a call in progress.
 - 2) The operator verifies that the line is available for incoming calls.
 - 3) The operator verifies that the called number is busy with a call in progress and the customer requests interruption. The operator will then interrupt the call, advising the called party the name of the calling party. One charge will apply for both verification and interruption.

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MISCELLANEOUS SERVICES10.2 Busy Line and Line Verification Interrupt Service (Cont'd)10.2.2 Regulations (Cont'd)

(B) No charge will apply:

- 1) When the calling party advises that the call is to or from an official public emergency agency.
- 2) Under conditions other than those specified in 10.2.2(A) preceding.

(C) Busy Line Verification and Interrupt Service is furnished where and to the extent that facilities permit.

(D) The Customer shall indemnify and hold the Company harmless against all claims that may arise from either party to the interrupted call or person.

10.2.3 Rates

Busy Line Verify Service (each request)	\$x.xx
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Busy Line Verify and Busy Line Interrupt Service (each request)	\$x.xx
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MISCELLANEOUS SERVICES10.3 Service Implementation10.3.1 Description

Absent a promotional offering, service implementation charges will apply to new service orders or to orders to change existing service.

10.3.2 RatesNon-Recurring

Per service order

\$xx.xx

10.4 Restoration of Service10.4.1 Description

A restoration charge applies to the re-establishment of service and facilities suspended because of non-payment of bills and is payable at the time that the re-establishment of the service and facilities suspended is arranged for. The restoration charge does not apply when, after disconnection of service, service is later re-established.

10.4.2 RatesNon-Recurring

Per occasion

\$xx.xx

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SPECIAL ARRANGEMENTS11.1 Special Construction11.1.1 Basis For Charges

Where the Company furnishes a facility or service for which a rate or charge is not specified in the Company's tariffs, charges will be based on the costs incurred by the Company.

11.1.2 Termination Liability

To the extent that there is no other requirement for use by the Company, a termination liability may apply for facilities specially constructed at the request of the customer.

- (A) The termination liability period is the estimated service life of the facilities provided.
- (B) The amount of the maximum termination liability is equal to the estimated amounts for:
 - 1) Cost installed of the facilities provided including estimated costs for rearrangements of existing facilities and/or construction of new facilities as appropriate, less net salvage. Cost installed includes the cost of:
 - (a) equipment and materials provided or used,
 - (b) engineering, labor and supervision,
 - (c) transportation, and
 - (d) rights-of-way;
 - 2) license preparation, processing, and related fees;

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SPECIAL ARRANGEMENTS11.1 Special Construction (Cont'd)11.1.2 Termination Liability (Cont'd)(B) (Cont'd)

- 3) tariff preparation, processing, and related fees;
- 4) cost of removal and restoration, where appropriate; and
- 5) any other identifiable costs related to the specially constructed or rearranged facilities.

- (C) The applicable termination liability method for calculating the unpaid balance of a term obligation. The amount of such charge is obtained by multiplying the sum of the amounts determined as set forth in Section 11.1.2(B) preceding by a factor related to the unexpired period of liability and the discount rate for return and contingencies. The amount determined in section 11.1.2(B) preceding shall be adjusted to reflect the predetermined estimate net salvage, including any reuse of the facilities provided. This product is adjusted to reflect applicable taxes.

11.2 Individual Case Basis (ICB) Arrangements

Arrangements will be developed on a case-by-case basis in response to a bona fide request from a Customer or prospective Customer to develop a competitive bid for a service offered under this tariff. Rates quoted in response to such competitive requests may be different than those specified for such services in this tariff. ICB rates will be offered to the Customer in writing and on a nondiscriminatory basis.

11.3 Temporary Promotional Programs

The Company may establish temporary promotional programs wherein it may waive or reduce non-recurring or recurring charges, to introduce present or potential Customers to a service not previously received by the Customers.

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